



BOND, SCHOENECK & KING, PLLC
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April 28, 2005

VIA ELECTRONIC FILE

Hon. Thomas J. McAvoy
Senior U.S. District Court Judge
United States District Court
U.S. Courthouse & Federal Building
15 Henry Street
Binghamton, NY 13901

Re: *Pimsner v. Nexen*
1:03-CV-1373

Dear Judge McAvoy:

On April 25, 2005 I spoke with your Courtroom Clerk, Ms. Colleen Ligas, as to whether our pre-trial submissions should be filed, considering that our trial date has been adjourned without date pending a decision on the motions before the Court. She advised me that it was up to the parties as to whether we wished to file these pre-trial submissions under the original scheduling order or await a decision on the motions and a further order from the Court as to when these pre-trial submissions should be filed.

We have consulted with Michael Bai, counsel for defendants, and he agrees that it would make the most sense for all parties to file these pre-trial submissions at a time specified by the Court after the motions are decided and after a new trial date has been set. To confirm the above, we would kindly request that you "so order" this letter in the place indicated below.

Thank you for your courtesies and consideration in this matter.

Respectfully submitted,

BOND, SCHOENECK & KING, PLLC

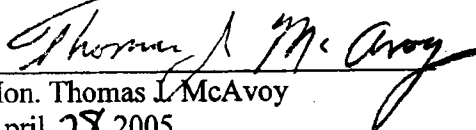

Arthur J. Siegel

AJS/caa

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cc: Michael Bai, Esq. (via e-mail)
John C. Ramsey, Esq. (via e-mail)
Colleen Ligas (via electronic file)

SO ORDERED:


Hon. Thomas J. McAvoy
April 28, 2005